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REMARKS

The above Amendments and these Remarks are in reply to the Office Action mailed July 21, 2006. Claims 1-40 were pending in the Application prior to the outstanding Office Action. In the Office Action, the Examiner allowed claims 21-34 and rejected claims 1-20 and 35-40. The present Response amends claims 1, 35-39, leaving for the Examiner's present consideration claims 1-20, and 35-40. Reconsideration of the rejections is respectfully requested.

I. Claim Rejections – 35 USC § 102

Claims 1-16, 18-20, 35, 36, 37, 38-40 are rejected under 35 USC 102(a) as being anticipated by Böhm, et al. in DE 199 25 790 A1.

The claimed invention of reactive atom plasma processing (RAPP) in independent claims 1 and 35-39 is distinguishable from Böhm at least in the way that the plasma discharge is created. Böhm uses an electromagnetic (EM) field radiated by a microwave antenna to create the discharge. In contrast, RAPP transfers energy of a radio frequency (RF) power source to create and sustain the plasma discharge. Compared to Böhm, such transfer of RF power can take place well out of the range of the EM field developed by Böhm and the efficiency of the energy transfer is greater and more consistent. Claims 1 and 35-39 have been revised to include such distinction, and thus cannot be anticipated by Böhm. Since claims 2-16, 18-20 depend on claim 1, and claim 40 depends on claim 39, Böhm cannot anticipate RAPP in claims 1-16, 18-20, 35, 36, 37, 38-40, and Applicant respectfully requests that the rejection with respect to these claims be withdrawn.

II. Claim Rejections – 35 USC § 103

Claim 17 is rejected under 35 USC § 103(a) as being unpatentable over Boehm, *et al.* in DE 199 25 790 A1 in view of Fabel U.S. Patent No. 4,674,683.

Fabel teaches a plasma flame gun with an adjustable ratio of radial and tangential plasma gas flow. It does not intend to shape a surface of a workpiece nor utilize a plasma

torch, so it cannot anticipate the RAPP in claim 1. As previously discussed, Böhm cannot anticipate the RAPP in claim 1 either. Therefore, neither Böhm nor Fabel can anticipate the RAPP in claim 1. Since claim 17 depends on claim 1, claim 17 cannot be rendered obvious under 35 U.S.C. § 103(a), and Applicant respectfully requests that the rejection with respect to claim 17 be withdrawn.

III. Conclusion

In light of the above, it is respectfully submitted that all of the claims now pending in the subject patent application should be allowable, and a Notice of Allowance is requested. The Examiner is respectfully requested to telephone the undersigned if he can assist in any way in expediting issuance of a patent.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

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By 

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